

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

17051-17075

[Approved by the Secretary of Agriculture, Washington, D. C., October 31, 1930]

17051. Misbranding of Bromo-Aspirin. U. S. v. 29½ Dozen Packages of Bromo-Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23970. I. S. No. 08996. S. No. 2200.)

On August 26, 1929, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 29½ dozen packages of Bromo-Aspirin at Mount Victory, Ohio, alleging that the article had been shipped by the Boone Products Co., Chicago, Ill., on or about July 23, 1929, and transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets consisted essentially of acetanilide (2.2 grains per tablet), acetylsalicylic acid (1.9 grains per tablet), extracts of plant drugs including a laxative drug, and a trace of bromide.

It was alleged in the libel that the article was misbranded in that the statements, "Bromo-Aspirin" and "Laxative-Cascara Bromo-Aspirin," borne on the packages containing the said article, were false and misleading, since the tablets composing the article contained but a trace of a bromide compound; and in that the statement on the retail carton, "Each tablet contains 1 grain Acetanilid," was false and misleading, since each tablet contained more than 1 grain of acetanilide. Misbranding was alleged for the further reason that the packages failed to bear a statement on the labels of the quantity or proportion of acetanilide contained therein.

Misbranding was alleged in substance for the further reason that the following statements regarding the curative and therapeutic effects of the article, appearing on the display carton, retail carton, and circular, (display carton) "For Grippe," (retail carton) "Quickly relieves Grippe * * * Fever, Influenza * * * One or Two Tablets at bedtime is usually enough to keep liver, kidneys * * * active; * * * This laxative * * * medicine acts on the liver, and the cascara is tonic laxative. Directions: * * * if fever and aching severe, 2 at bedtime," (circular) "Wherever Bromo-Aspirin has been used it has given general satisfaction in the treatment of * * * Grippe, influenza," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 5, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17052. Adulteration of ether. U. S. v. 91 Quarter-Pound Tins of Ether for Anesthesia. Default decree of destruction entered. (F & D. No. 24007. I. S. No. 019552. S. No. 2278.)

On September 14, 1929, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District